

Revision: HCFA-PM-90-2
January, 1990

ATTACHMENT: 4.22-B
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OMB NO. 0938-0193

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: Mississippi

Requirements for Third Party Liability-
Payment of Claims

Citation (1) The provider is not required to file with
433.139(b)(3) the third party prior to filing Medicaid
(ii)(c) in a situation where the TP is derived
55 FR 1423 from a parent whose obligation to pay
support is being enforced by the State
Title IV-D Agency.

433.139(f)(2) (2) A threshold amount of \$100 is used to
50 FR 46652 determine whether to seek recovery from a
liable third party except for trauma-
related claims in which case a threshold
amount of \$250 is used.

433.139(f)(3) (3) Pursuant to the waiver received from HCFA,
50 FR 46652 Region IV, all pharmacy claims will be
accumulated on a quarterly basis for
filing beginning with July 1, 1986 paid
claims. Third Party recovery will be
pursued when the accumulated quarterly
pharmacy claims for each recipient equal
or exceed a \$100 threshold.

Third party recovery will be pursued when
the accumulated monthly trauma code paid
claims amount for each recipient equals
or exceeds a \$250 threshold.

The MMIS will generate monthly invoices of
prenatal, preventive pediatrics, and IV-D
related claims when the accumulated paid
claims for each recipient with a third party
indicator in the claims payment system and
no third party amount listed on the claim,
equals or exceeds a \$100 threshold.

*Formerly approved as Attachment 4.22-B, Page 1A.

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Requirements for Third Party Liability-
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447.20(e)
55 FR 1423

The Medicaid provider may not refuse covered services to an individual who is eligible for medical assistance under the plan on account of a third party's liability. The provider may not seek to collect from the Medicaid eligible individual (or any financially responsible relative or representative of that individual) if the total amount of the third party liability is equal to or greater than the amount payable under the State Plan (which includes, when applicable, approved cost-sharing payments.) When the total third party payment is less than the amount payable under the State Plan (which includes, when applicable, approved cost-sharing payments), the provider may collect from the individual (or any financially responsible relative or representative) an amount the lesser of any approved cost-sharing amount or the difference between the amount payable under the State Plan and the total third party payment.

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